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ELECTRONIC DATA SYSTEMS L.L.C.,
formerly known as ELECTRONIC DATA
SYSTEMS CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNIE COX,

Plaintiff,

v.

ELECTRONIC DATA SYSTEMS
CORPORATION; and DOES 1 through
10, inclusive,

Defendants.

Case No. CV 08 3927 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER FOR DISMISSAL OF THIRD
CAUSE OF ACTION OF THE FIRST
AMENDED COMPLAINT AND
PARAGRAPH 47 OF THE SEVENTH
CAUSE OF ACTION
(Fed. R. Civ. P. 41(a)(1))**

1 WHEREAS, the Parties have reached a partial settlement of the case with respect to
2 the claims that Plaintiff was not paid appropriate sums in his final paycheck in a timely manner
3 under California Labor Code §§ 201, 203; and

4 WHEREAS, the Parties wish to simplify the issues in this case through a partial
5 settlement; and

6 WHEREAS, as part of the settlement Plaintiff has agreed to dismiss the Third Cause
7 of Action of the First Amended Complaint (Late Payment of Wages, Labor Code § 201) and
8 paragraph 47 of the Seventh Cause of Action for Unfair Business Practices (incorporating the
9 allegations of the Third Cause of Action) with prejudice, with each side to bear its own attorneys'
10 fees and costs associated only with those claims.

11 WHEREFORE, the Parties hereby stipulate to the dismissal of the Third Cause of
12 Action of the First Amended Complaint and paragraph 47 of the Seventh Cause of Action with
13 prejudice, with each side to bear its own attorneys' fees and costs associated only with those claims.

14 SO STIPULATED.

15 Dated: March 26, 2009

16
17 /s/ Dean Royer
18 DEAN ROYER
19 SIEGEL & YEE
20 Attorneys for Plaintiff
21 DONNIE COX

22 Dated: February _____, 2009

23 /s/ Robert L. Zaletel
24 ROBERT L. ZALETEL
25 LITTLER MENDELSON
26 A Professional Corporation
27 Attorneys for Defendant
28 ELECTRONIC DATA SYSTEMS L.L.C.,
formerly known as ELECTRONIC DATA
SYSTEMS CORPORATION

29 ~~PROPOSED~~ ORDER

30 FOR GOOD CAUSE APPEARING:

31 Pursuant to the partial settlement of the case, the Third Cause of Action of the First

1 Amended Complaint and paragraph 47 of the Seventh Cause of Action of the First Amended
2 Complaint are hereby dismissed with prejudice, with each side to bear its own attorneys' fees and
3 costs associated only with those claims.

4
5 Dated: April 1, 2009



HON. WILLIAM ALSUP
United States District Court Judge

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